



NONDISCRIMINATION and EQUAL OPPORTUNITY POLICY

VEC Human Resource Management Services

Reference: See Below

Effective Date: February 15, 2006

Recision: Nondiscrimination and Equal Opportunity Policy
March 25, 2002

POLICY

It is the policy of the Virginia Employment Commission (VEC) to provide equal opportunity in employment to all employees and applicants for employment without regard to race, color, religion, gender, national origin, age, disability, sexual orientation, or political affiliation. The policy permits appropriate employment preferences for veterans and specifically prohibits discrimination against veterans.

This policy applies to all terms, conditions, and privileges of employment, including hiring, compensation, benefits, work assignments, evaluations, promotion, transfer, disciplinary actions, educational assistance, training, social and recreational programs, and use of VEC facilities. This policy prohibits the lowering of bona fide job requirements and qualification standards to give preference to any applicant.

In addition to its equal opportunity commitment in employment, VEC shall provide equal opportunity in accordance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act, 29 CFR Part 37, and other pertinent directives. To that end, no person shall, on the basis of race, color, religion, gender, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in any VEC program or activity.

BACKGROUND

- (1) Title VI and Title VII, Civil Rights Act of 1964
- (2) Civil Rights Act of 1991
- (3) Governor's Executive Order Number One (2006)
- (4) 29 CFR Part 37
- (5) Section 504 of the Rehabilitation Act
- (6) Title I and Title II, Americans with Disabilities Act

Programs and activities funded by the United States Department of Labor under the Workforce Investment Act (WIA) are subject to federal equal opportunity laws and regulations. The VEC, as a recipient of federal funds, is obligated to comply with the nondiscrimination and equal opportunity provisions of the Workforce Investment Act.

Section 188 of the WIA describes the prohibition against discrimination on the basis of race, color, religion, gender, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship and participation in WIA programs.

The Governor's Executive Order Number One (2006) prohibits employment discrimination on the basis of race, gender, color, sexual orientation, national origin, religion, age, or political affiliation, or against otherwise qualified persons with disabilities. The policy permits appropriate employment preferences for veterans and specifically prohibits discrimination against veterans. The lowering of bona fide job requirements, performance standards, or qualifications to give preference to any state employee or applicant for state employment is not permitted or required.

PROCEDURES

A. Notification

1. All employees, applicants for employment, and customers should be notified of this policy.
 - a. Customers should be notified of this policy by posting the agency's "Equal Opportunity is the Law" posters in all VEC offices.
 - b. New employees (classified and wage) should be given a copy upon employment.
 - c. Current employees should be informed of changes to the policy.

B. Complaints of Discrimination

Employees and applicants for employment may file discrimination complaints with the VEC EO Officer (Human Relations Manager). Employees and applicants for employment may also file complaints with the Office of Equal Employment Services of the Department of Human Resource Management and the U. S. Equal Employment Opportunity Commission.

Customers (recipients of VEC services) may file complaints either with the VEC EO Officer or with the Director, Civil Rights Center of the U.S. Department of Labor.

Retaliatory action shall not be taken by agency management against any person for filing a complaint of discrimination.

C. Violations

Any VEC employee found in violation of this policy shall be subject to appropriate disciplinary action.

AGENCY RIGHT

The Virginia Employment Commission reserves the right to revise or eliminate this policy.

Dolores A. Esser
Commissioner